

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
WALTER JAMES KUBON, et al.,
Defendants.

Case No. 18-cv-04788-PJH

**ORDER REGARDING MOTION TO
AMEND ORDER OF FORECLOSURE
AND JUDICIAL SALE**

Re: Dkt. No. 116

Before the court is plaintiff's motion to amend the court's May 2, 2019 order of foreclosure and judicial sale (Dkt. 68). No opposition has been received from defendants. Plaintiff's proposed amendments include language authorizing and directing the United States Marshal to "arrest and/or evict from the premises any and all persons who obstruct, attempt to obstruct, or interfere or attempt to interfere in any way with the execution" of the court's order and permitting the United States Marshal to arrest and/or eject unauthorized persons who re-enter subject property without further order of the court. Dkt. 116 at 4.

To assist in the court's resolution of this matter, plaintiff is ordered to supplement its motion with 1) the authority under which it brings its motion to amend, and 2) the authority that permits the court to direct and authorize the United States Marshal to arrest persons subject to the order.

The supplemental brief shall be filed no later than seven days from the issuance of this order and shall not exceed five pages. After review of the supplemental brief and in view of the absence of an opposition brief, the court will advise whether the hearing set

for April 7, 2022 will be necessary.

IT IS SO ORDERED.

Dated: March 28, 2022

/s/ Phyllis J. Hamilton

PHYLLIS J. HAMILTON
United States District Judge

United States District Court
Northern District of California